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Attorney Docket No. 15866/142

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Jeffrey M. Maher : Group Art Unit 3683
Serial No. : 10/783,824 : Confirmation No. 7051
Filed : February 20, 2004 : Examiner Devon C. Kramer
For : MOTION CONTROL APPARATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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571-273-8300 (37 CFR 1.8a)

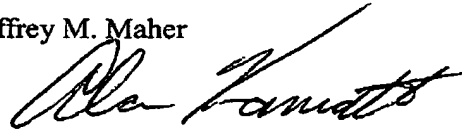
**REQUEST TO REMOVE FINAL DESIGNATION AS PREMATURE**

Sir:

The Office communication of October 3, 2005 includes a rejection under 35 U.S.C. § 112, second paragraph, as Examiner Kramer contends the term motion isolated contact is unclear. At least claims 1, 2, 4 and 16 as originally filed recited "motion isolated contact". The Office communication mailed February 1, 2005 did not indicate that the term "motion isolated contact" was unclear. Thus, the ground of rejection that the term "motion isolated contact" was unclear was for the first time made in the Office communication of October 3, 2005 and as the term existed in claim 16 as well as other claims, as originally filed, the previously filed Amendment mailed on July 18, 2005 did not necessitate the new ground of rejection. Thus, as set forth in MPEP § 706.07(a), the designation of final is premature and should be withdrawn. Favorable consideration is respectfully requested.

Respectfully submitted,

Jeffrey M. Maher



Dated: March 2, 2006.

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